

EXPANDING THE AUTHORITY OF THE COAST GUARD TO  
ESTABLISH, MAINTAIN, AND OPERATE AIDS TO NAVIGATION  
TO INCLUDE THE TRUST TERRITORY OF THE PACIFIC ISLANDS

JUNE 13, 1951.—Committed to the Committee of the Whole House on the State  
of the Union and ordered to be printed

Mr. BONNER, from the Committee on Merchant Marine and Fisheries,  
submitted the following

REPORT

[To accompany S. 1025]

The Committee on Merchant Marine and Fisheries, to whom was referred the bill (S. 1025) to expand the authority of the Coast Guard to establish, maintain, and operate aids to navigation to include the Trust Territory of the Pacific Islands, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

The purpose of this bill, which is identical to H. R. 3019, upon which your committee held hearings, is to authorize the Coast Guard to establish, operate, and maintain aids to navigation in the Pacific Ocean, in the Marianas, the Carolines, and the Marshalls, which islands shall make up the area now known as the Trust Territory of the Pacific.

The groups of islands comprising the Trust Territory of the Pacific were formerly mandated to Japan under the League of Nations following World War I, under whose mandate they remained until after the conclusion of hostilities in World War II. At that time they became the subject of a trusteeship agreement by the Security Council of the United Nations in April 2, 1947. The United States ratified this agreement on July 18, 1947, and the United States was designated the administering authority of the trust territory. By Executive Order 9875, the military government in the islands, which had been in force since their capture in World War II, was terminated, and the authority and responsibility for the civil administration of the trust territory, on an interim basis, was delegated to the Secretary of the Navy. However, under an agreement between the Department of the Navy and the Department of the Interior, approved by the President on August 3, 1949, responsibility for the government of the trust territory is to be transferred from the Department of the Navy to the Department of the Interior, effective July 1, 1951.

In order to increase the effectiveness of the United States in carrying on its military and civil activities and duties in the trust territory, the Coast Guard has established and has been maintaining aids to navigation in the area involved. This work has been carried out pursuant to provisions of existing law (14 U. S. C. 81) which authorizes the establishment and operation of such aids beyond the territorial jurisdiction of the United States at places where naval or military bases of the United States are or may be located. When the jurisdiction of the Secretary of the Navy over the government of the trust territory is terminated on July 1, however, there is doubt that the Coast Guard's authority with respect to aids to navigation will continue in force in this area. The need for the continuance of such authority is very evident, in view of the continued activities of military and civilian shipping and aviation in that area during the period of the trusteeship. This bill will make certain the authority of the Coast Guard to continue to maintain the service which it has been rendering since the termination of hostilities in World War II.

The granting of this authority will mean the establishment of no new system of aids to navigation, but is intended solely to permit the continuing operation of existing aids with the necessary establishment or disestablishment thereof as needed to meet the expanding or contracting needs of maritime commerce within the trust territory.

Your committee unanimously reported the bill favorably. The reports of the Department of the Navy and the Treasury Department urging the enactment of the House version of the bill (H. R. 3019) are as follows:

DEPARTMENT OF THE NAVY,  
Washington, D. C., May 3, 1951.

HON. EDWARD J. HART,  
*Chairman, Committee on Merchant Marine and Fisheries,  
House of Representatives, Washington, D. C.*

MY DEAR MR. CHAIRMAN: Your request for comments on H. R. 3019, a bill to expand the authority of the Coast Guard to establish, maintain, and operate aids to navigation to include the Trust Territory of the Pacific Islands, has been assigned to this Department by the Secretary of Defense for the preparation of a report thereon expressing the views of the Department of Defense.

The purpose of this bill is to authorize the Coast Guard to establish, operate, and maintain aids to navigation in the Pacific Ocean area of the Marianas, Caroline, and Marshall Islands, which now make up the area of the Trust Territory of the Pacific Islands.

The Coast Guard has maintained and operated aids to maritime navigation in the area of the Trust Territory of the Pacific Islands since the termination of hostilities, when that territory was placed under naval jurisdiction. Without the authority which the enactment of the subject bill would give, the Coast Guard would be unable to continue this service when the trust territory is transferred from naval jurisdiction, which the President has indicated is his intention to do in the near future.

Inasmuch as the continued operation of aids to maritime navigation in the area of the Trust Territory of the Pacific Islands is deemed essential, the Department of the Navy, on behalf of the Department of Defense, recommends enactment of H. R. 3019.

This report has been coordinated within the Department of Defense in accordance with the procedures prescribed by the Secretary of Defense.

The Navy Department has been advised by the Bureau of the Budget that there is no objection to the submission of this report on H. R. 3019 to the Congress.

Sincerely yours,

G. L. RUSSELL,  
*Rear Admiral, United States Navy,  
Judge Advocate General of the Navy.  
(For the Secretary of the Navy).*

TREASURY DEPARTMENT,  
Washington, February 21, 1951.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES,  
Washington, D. C.

SIR: There is enclosed herewith a draft of a proposed bill to expand the authority of the Coast Guard to establish, maintain, and operate aids to navigation to include the Trust Territory of the Pacific Islands.

The purpose of this proposed amendatory legislation is to authorize the Coast Guard to establish, operate, and maintain aids to navigation in the Pacific Ocean areas of the Marianas, Caroline, and Marshall Islands, which now make up the area of the Trust Territory of the Pacific Islands.

Since the termination of hostilities, aids to maritime navigation in this area have been maintained by the Coast Guard in order to serve the needs of the Armed Forces, as authorized by title 14, United States Code, section 81, inasmuch as the area has been governed by a naval civil government. Under an agreement approved by the President on September 23, 1949, responsibility for the government of this trust territory will be transferred from the Navy to the Department of the Interior on July 1, 1951. The Secretary of the Interior has indicated that continued operation of these aids is essential and that he desires the Coast Guard to carry on the work. Authorizing legislation is believed to be necessary to enable the Coast Guard to continue the operation and maintenance of these aids after the transfer of the responsibility for the government of the trust territory to the Department of the Interior has been effected.

The granting of this authority will entail the establishment of no new system of aids to navigation, but is intended to permit the continued operation of existing aids with the necessary establishment or disestablishment thereof as needed to meet the expanding or contracting needs of maritime commerce within the trust territory.

It would be appreciated if you would lay the proposed bill before the House of Representatives. A similar proposed bill has been transmitted to the President of the Senate.

The Department has been advised by the Bureau of the Budget that there is no objection to the submission of this proposed legislation to the Congress and that enactment of the measure would be in accord with the program of the President.

Very truly yours,

E. H. FOLEY,  
*Acting Secretary of the Treasury.*

#### CHANGES IN EXISTING LAW

In compliance with paragraph 2a of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as introduced, are shown as follows (new matter is printed in italics; existing law in which no change is proposed is shown in roman):

#### TITLE 14, SECTION 81 U. S. CODE—AIDS TO NAVIGATION

That in order to aid navigation and to prevent disasters, collisions, and wrecks of vessels and aircraft, the Coast Guard is authorized to establish, maintain, and operate—

(a) aids to maritime navigation required to serve the needs of the armed forces or of the commerce of the United States;

(b) aids to air navigation required to serve the needs of the armed forces of the United States as requested by the Secretary of the appropriate Department within the National Military Establishment; and

(c) Loran stations (1) required to serve the needs of the armed forces of the United States; or (2) required to serve the needs of the maritime commerce of the United States; or (3) required to serve the needs of the air commerce of the United States as determined by the Administrator of Civil Aeronautics.

SEC. 2. The Coast Guard in establishing, maintaining, or operating any aids to air navigation herein provided shall solicit the cooperation of the Administrator of Civil Aeronautics to the end that the personnel and facilities of the Civil Aeronautics Administration will be utilized to the fullest possible advantage. Before

locating and operating any such aid on military or naval bases or regions, the consent of the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force, as the case may be, shall first be obtained. No such aid shall be located within the territorial jurisdiction of any foreign country without the consent of the government thereof. Nothing in this Act shall be deemed to limit the authority granted by the provisions of section 77 of the Act of January 12, 1895 (28 Stat. 621), or by section 5 (f) of the Air Commerce Act of 1926 (49 U. S. C. 175), or by title III of Civil Aeronautics Act of 1938, as amended (49 U. S. C. 451 and the following).

Sec. 3. Such aids to navigation other than Loran stations shall be established and operated only within the United States, its Territories and possessions, the Trust Territory of the Pacific Islands, and beyond the territorial jurisdiction of the United States at places where naval or military bases of the United States are or may be located, and at other places where such aids to navigation have been established prior to June 26, 1948.

